IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Contempt Petition No. 83 of 2001

Karamchari Committee,
Jarput Nagar Palika Parishad,
Through its Secretary, Ravi

…… Petitioner

Versus

Devendar Pratap Sexena,
Assistant Director,
Local Fund, Nainital,
State of Uttaranchal.

……. Respondent

Mr. Khalil Ahmed, learned counsel for the petitioner.
Mr. Subhash Upadhyaya, Brief Holder for the State.

Hon'ble P.C. Pant, J.

This Contempt Petition has been moved by the Petitioner complaining disobedience of order dated 19.05.2000, passed by Allahabad High Court in Writ Petition No. 22416 of 2000. There is no specific direction / mandamus in said order to do or not to do some particular act. Rather, the operative portion of the order reads as under:

> ***"In the meantime, it will be open to the respondents to release the petitioner's retirement benefits, as admissible in law, and the petitioners may receive the same without prejudice to their rights and contentions made in the writ petition."***

2) A counter affidavit has been filed on behalf of the respondent stating that the petitioner is already getting admissible amount of pension under the relevant statute.

3) In the above circumstances, the contempt petition is misconceived. The same is dismissed. The notices issued against the respondent are discharged.

(Prafulla C. Pant, J.)

Dt.:2nd August, 2006
H.Negi